UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,895	01/30/2001	Kazufumi Matsumoto	50212-150	9006

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EXAMINER
DADA, BEEMNET W

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/771,895	MATSUMOTO ET AL.
	Examiner	Art Unit
	Beemnet W Dada	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *3 & 4*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-20 have been examined.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulude et

al. (hereinafter refereed to as Dulude) (PCT Publication No. WP 98/50875).

4.   As per claim 1, Dulude teaches an authentication station for authenticating

a user connected to a network, characterized by comprising:

digital certificate storage means for storing a digital certificate issued to the user and

validity data representing validity of the digital certificate [page 5, lines 24-27, 32-35, page 4,

lines 15-19, and figure 2];

registration data storage means for storing as registration data biometrics data based on

a biological feature of the user [page 7, lines 3-7 and lines 13-19];

a collation server for collating biometrics data transmitted from the user with the

registration data stored in said registration data storage means [page 13, lines 9-14, 21-29 and

page 9, lines 16-24]; and

authentication means for determining the validity of the digital certificate of the user, for

which authentication is demanded, on the basis of the validity data stored in said digital

certificate storage means (i.e., the biometric digital certificate contains a validity period and is

stored in storage means, see figure 2 and page 5, lines 32-35), and authenticating the user on

the basis of the collation result of said collation server [page 13, lines 9-14, 21-30, 33-35 and

page 14, lines 1-4, and page 3, lines 3-5].

Furthermore, Dulude teaches the biometric digital certificate that contains a validity

period and is stored in storage means [see figure 2 and page 5, lines 32-35], and a validity

period to determine an expiration of validity of digital certificates [page 3, lines 3-5]. Dulude does

not explicitly teach authenticating the user on the basis of the validity determination.

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to authenticating a user on the basis of the validity determination. It would

have been obvious because Dulude teaches a biometric digital certificate that contains a validity

period and is stored in storage means [see figure 2 and page 5, lines 32-35], and a validity

period to determine an expiration of validity of digital certificates [page 3, lines 3-5].

5.   As per claim 12, Dulude teaches an authentication method of causing an authentication

station to authenticate a user connected to a network, characterized by comprising:

the user registration step of causing the authentication station to issue a digital certificate

to the user, storing the digital certificate and validity data representing validity of the digital

certificate, acquiring biometrics data as a biological feature of the user from the user, and

storing the biometrics data as registration data [page 7, lines 3-7 and lines 13-19];

the user validity determination step of causing the user to transmit the digital certificate

to the authentication station and causing the authentication station to determine the validity of

the digital certificate on the basis of the validity data [page 13, lines 9-14, 21-30, 33-35 and

page 14, lines 1-4, and page 3, lines 3-5];

the biometrics data collation step of causing the user to acquire biometrics data and

transmit the biometrics data to the authentication station, and causing the authentication station

to collate the biometrics data transmitted from the user with the registration data [page 13, lines

9-14, 21-29 and page 9, lines 16-24]; and

the authentication step of authenticating the user on the basis of a collation result of the

biometrics data [page 13, lines 9-14, 21-30, 33-35 and page 14, lines 1-4, and page 3, lines 3-

5].

Furthermore, Dulude teaches the biometric digital certificate that contains a validity

period and is stored in storage means [see figure 2 and page 5, lines 32-35], and a validity

period to determine an expiration of validity of digital certificates [page 3, lines 3-5]. Dulude does

not explicitly teach authenticating the user on the basis of the validity determination of a digital

certificate.

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to authenticating a user on the basis of the validity determination of the

digital certificate. It would have been obvious because Dulude teaches a biometric digital

certificate that contains a validity period and is stored in storage means [see figure 2 and page

5, lines 32-35], and a validity period to determine an expiration of validity of digital certificates

[page 3, lines 3-5].

6.   As per claims 2 and 13, Dulude teaches an authentication station as applied above. Furthermore, Dulude teaches the authentication station, characterized in that said collating means collates a plurality of kinds of biometrics data [page 13, lines 9-14, 21-30 and page 4, lines 15-19].

7.   As per claims 3 and 14, Dulude teaches an authentication station as applied above. Furthermore, Dulude teaches the authentication station, characterized in that

said digital means stores valid dates of the registration data stored in said registration data storage means (i.e., the biometric digital certificate contains a validity period and is stored in storage means, see figure 2 and page 5, lines 32-35), and

said authentication means determines the validity of the biometrics data of the user, for which authentication is demanded, on the basis of the valid dates stored in said digital certificate storage means (expiration of a validity of a certificate, see page 3, lines 3-5).

8.   As per claim 4, Dulude teaches an authentication station as applied to claim 3 above. Furthermore, Dulude teaches the authentication station, characterized by further comprising an issuing station for issuing the digital certificate, said issuing station being adapted to store the valid dates of the biometrics data in said digital certificate storage means when issuing the digital certificate [page, 6, lines 28-35, page 7, 1-8 and figure 2].

9.   As per claims 5 and 15, Dulude teaches an authentication station as applied above. Furthermore, Dulude teaches the authentication station, characterized by further comprising

amount storage means for storing an authentication compensation amount, said amount

storage means being adapted to store the authentication compensation amount determined on

the basis of contents of authentication when performing the authentication [page, 11, lines 5-9,

and page 12, lines 19-35].

10.   As per claim 6, Dulude teaches an authentication station as applied to claim 1 above.

Furthermore, Dulude teaches the authentication station system characterized by

comprising:

        said authentication station defined in claim 1; and

        a user terminal connected to said network and having biometrics data acquisition means

for causing the user to acquire the biometrics data [page 9, lines 33-35 and page 10, lines 1-10].

11.   As per claims 7 and 16, Dulude teaches an authentication station as applied above.

Furthermore, Dulude teaches the authentication station system characterized in that

        said user terminal stores a private key corresponding to a public key registered in the

digital certificate, said user terminal generates a digital signature using the private key and

transmits the digital signature to said authentication station [page 10, lines 29-34], and said

authentication station authenticates the user using the digital signature transmitted from said

user terminal [page 12, lines 7-15].

12.   As per claims 8 and 17, Dulude teaches an authentication station as applied above.

Furthermore, Dulude teaches the authentication station system characterized in that

        said user terminal stores a private key corresponding to a public key registered in the

digital certificate [page 10, lines 29-34],

said user terminal generates a digital signature in accordance with the private key and the biometrics data and transmits the digital signature to said authentication station [page 10, lines 17-21 and lines 29-34], and

said authentication station authenticates the user in accordance with the digital signature transmitted from said user terminal [page 12, lines 7-15].

13.   As per claims 9 and 18, Dulude teaches an authentication station as applied above. Furthermore, Dulude teaches the authentication station system characterized in that

said user terminal encrypts the biometrics data from said biometrics data acquisition means with the public key of said authentication station and transmits the encrypted biometrics data to said authentication station [page 10, lines 11-15].

14.   As per claims 10 and 19, Dulude teaches an authentication station as applied above. Furthermore, Dulude teaches the authentication station system characterized by comprising:

authentication request means, connected to said network, for requesting said authentication station to authenticate the user [page 9, lines 33-35 and page 10, lines 1-10].

15.   As per claims 11 and 20, Dulude teaches an authentication station as applied above. Furthermore, Dulude teaches the authentication station system characterized by comprising

authentication request means, connected to said network, for requesting said authentication station to authenticate the user and notifying said authentication station of authentication contents, wherein said authentication station determines the authentication compensation amount on the basis of the notified authentication contents [page 9, lines 33-35 and page 10, lines 1-10].

Conclusion

16.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892 form.
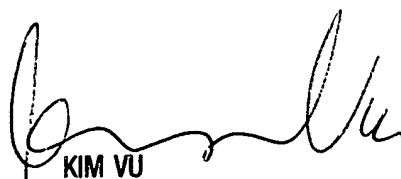
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday - Friday (8:30 am - 6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

May 14, 2004

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